

OCT 15 2002

PTO/SB/31 (10-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) 6787-000002								
<table border="1"> <tr> <td colspan="2">In re Application of Terry Pullaro</td> </tr> <tr> <td>Application Number 09/598,110</td> <td>Filed 06/21/2000</td> </tr> <tr> <td colspan="2">For Sports Training and Conditioning Device</td> </tr> <tr> <td>Group Art Unit 3711</td> <td>Examiner Alvin A. Hunter</td> </tr> </table>			In re Application of Terry Pullaro		Application Number 09/598,110	Filed 06/21/2000	For Sports Training and Conditioning Device		Group Art Unit 3711	Examiner Alvin A. Hunter
In re Application of Terry Pullaro										
Application Number 09/598,110	Filed 06/21/2000									
For Sports Training and Conditioning Device										
Group Art Unit 3711	Examiner Alvin A. Hunter									
RECEIVED OCT 21 2002 TECHNOLOGY CENTER R3700										

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, May 6, 2002, rejecting the following claims: 2-17.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 320.00.

Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ 160.00.

A check in the amount of the fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

X The Appeal Fee for this application was previously paid on Nov. 28, 2001 with Check No. 1394.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 08-0750. I have enclosed a duplicate copy of this sheet.

A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

applicant/inventor.

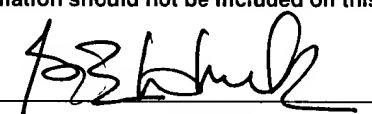
assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed.

attorney or agent of record.

attorney or agent acting under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a). _____



Signature

Bryan K. Wheelock

Typed or printed name

October 7, 2002

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

*Total of _____ forms are submitted.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

10/17/2002 AWDNDAF1 00000143 080750 09598110

01 FC:2401 160.00 CH

#14
Appeal
M
10/17/02